

Alma, WI 54610

October 22, 2004

Office of General Counsel
Federal Election Commission
999 E Street NW
Washington, DC 20463

MUR # 5589R

RECEIVED
OCT 27 2004
FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

Re: Complaint against the group named Buffalo County Progressives

Dear General Counsel,

I, Kelly J. Herold, hereby bring this complaint pursuant to 2 U.S.C. §434c(1) and 2 U.S.C §433a against the Buffalo County Progressives and Cindy Killion as treasurer. I reside at Alma, WI 54610.

In summary, the Buffalo County Progressives have created expenditures with the intent to sway federal elections totaling more than \$1,000, requiring them to be registered with the Federal Elections Commission as a political action committee as well as failing to report expenditures exceeding \$250 that are intended to sway federal elections.

Factual Background

The Buffalo County Progressives list their main contact as Cindy Killion, St, Fountain City, WI 54629,

After a thorough search of filed reports to the Federal Election Commission, there were no reports found that would have been filed by, or on behalf of, the Buffalo County Progressives.

After a search of the Buffalo County Register of Deeds office, the Buffalo County Progressives have never been incorporated or registered as a 527 group in the County of Buffalo, State of Wisconsin.

Violations

1. The total expenditures of the Buffalo County Progressives is a minimum of \$1517.00 and can be easily calculated with a few phone calls.
 - a. The Buffalo County Progressives have had paid advertisements supporting Presidential or U.S. Senate candidates in the Buffalo County Journal and the Cochrane Recorder on the dates, August 19, 2004, September 2, 2004, September 30, 2004, October 7, 2004, October 14, 2004, October 21, 2004, and their website tells of plans to publish another ad on October 28, 2004. Upon

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calling the newspaper office, I was told that each of those ads would cost \$100.00 per week. That is a total of \$600 not including the next ad that hasn't run yet.

- b. The Buffalo County Progressives have purchased billboard space from Collins Outdoor advertising of La Crosse, WI, to promote not voting for President Bush. Upon calling Collins Outdoor Advertising, I was informed that their ad will run for at least 3 weeks at a rate of \$610 per month, making that a prorated expenditure of at least \$413.00.
- c. The Buffalo County Progressives have sent out mass mailings supporting Presidential Candidate John Kerry. Mainly, a saturation mailing of the Fountain City and Alma zip codes. After calling the Postmasters, I was able to find that the mailings would require the purchase of a bulk-mailing permit for \$150.00, the Fountain City mailing's postage would have been approximately \$144.00, and the Alma mailing would have been approximately \$110.00.

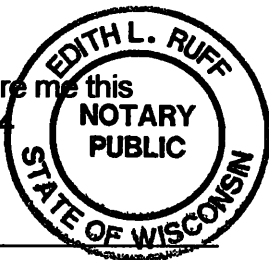
Conclusion

The Buffalo County Progressives have violated Federal Law by not filing any reports with the Federal Elections Commission while trying to sway federal elections. Report filing is a necessary part of the Federal Election process as it allows citizens to stay informed as to where the money supporting candidates is coming from. The size of this incident may seem small in dollar amounts, but if it were allowed to continue, they could set a precedent for other newly organized political committees. For these reasons, I respectfully ask that the Commission require the Buffalo County Progressives to immediately bring their FEC filings up to date and register with the FEC as a political action committee. I also ask that if the Commission finds that there exists a reason to believe that Federal law has been violated, promptly investigate the matter, and institute appropriate legal action to secure an appropriate fine for these violations.

Respectfully Submitted,


Mr. Kelly J. Herold

State of Wisconsin
County of Buffalo
Signed and sworn to before me this
22nd day of October, 2004




Notary Public

My commission expires: 7-29-2007



Billboard

Conservation Security Is A Good Idea

The Conservation Security Program (CSP) is a new federal program that could make a difference for Buffalo County farmers. The program passed as part of the 2002 farm bill and rewards farmers for conservation practices such as buffer strips on stream banks, strip cropping, wildlife plots and grass waterways.

Unfortunately due to lack of support from President Bush, only 18 watersheds in the entire United States are eligible for the program. Farms in Buffalo County, such as ours, are not eligible due to inadequate funding.

When Senator John Kerry was in Independence, he spoke to me about his plans for the CSP. He plans to work with Congress to see that this program is funded and conservation is promoted. I ask other Buffalo County farmers to join me in supporting Senator Kerry. Having a program like CSP will truly benefit our county and protect the land for generations to come.

★★★★ Kathleen Vinhout - Buffalo County Farmer ★★★★★

Buffalo County Progressives
<http://BuffaloCountyProgressives.org>

September 2 Ad

Fiscal Responsibility

Too often it seems our choices in the voting booth are between fiscally responsible and socially responsible candidates, but we need leaders who are both. Without a strong economy we will not be able to afford social programs that benefit all of our citizens. If we don't provide for our disadvantaged, elderly and children we are morally bankrupt.

Russ Feingold is both financially and socially responsible. The conservative National Taxpayers Union (NTU) reports on the cost of all legislation each senator has sponsored or co-sponsored. Russ Feingold is the only Senator whose legislation would save our country money, over \$1 billion of savings.

Meanwhile, President Bush is causing our economy long-term damage by driving up our deficit, both by dramatically increasing spending and reducing revenues by lowering tax rates, even for America's wealthiest citizens. Fiscal responsibility requires hard choices, and President Bush has made the wrong ones.

Republicans used to claim to be the party of fiscal responsibility, but that is clearly not true. Russ Feingold deserves our votes on economic as well as social grounds.

Buffalo County Progressives
<http://BuffaloCountyProgressives.org>

August 19 advertisement

Iraq - What Next?

America, especially our soldiers, should be proud that we have liberated the people of Iraq. The stories of torture and genocide under Hussein in Iraq were horrific. If America finishes what we started we can immensely improve the lives of people living in those countries.

But America has shame to bear as well. We invaded another country for false reasons. There were no weapons of mass destruction. Iraq was not affiliated with Al-Qaeda and it was not a terrorist state. Iraq was an impotent nation when we invaded it, incapable of projecting force outside its borders. Our diplomatic efforts leading up to war were no more than an attempt to dictate to the world, not an attempt to seek consensus. The cost has been an incredible deficit and a weakened military. But more importantly, it has left us with a diminished stature in the world.

We need a leader capable of working with the world's governments, not despite them. We need a leader who values diplomacy over force. Our next President must be willing to include more world powers in the rebuilding of Iraq and form a strong coalition that can work together to fight the war on terrorism.

Buffalo County Progressives
<http://BuffaloCountyProgressives.org>

September 2 Ad

Our Civil Rights

The Patriot Act grants law enforcement officials new search, surveillance and investigatory powers with minimal judicial oversight, including a broad definition of "domestic terrorism" that could be used to target anyone that disagrees with the government. The act allows the government to get personal information on you and scrutinize it, such as your library books, your employment records, and your financial records, without notification or search warrant. The Act's "sneak and peek" provisions can be applied to ordinary run-of-the-mill criminal investigations; it allows authorities to physically and secretly enter your home or office, search your possessions and seize them without notification. The Act also requires those holding records about you to turn them over to the government on the sole allegation that the records might be relevant to a terrorism investigation.

The government has taken away too many of our rights in the fear that followed 9/11, and once our rights are gone it would take a revolution to get them back.

Buffalo County Progressives
<http://BuffaloCountyProgressives.org>

October 7 Ad

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Think all candidates are the same?

✕ = Opposes ✓ = Supports

ISSUE COMPARISON

HEALTH CARE

- Comprehensive Medicare and health care reform plan
- Reforming Bush Medicare plan which largely benefited drug companies

✓

✕

✓

✕

24% of RURAL Americans lack health insurance, compared with 18% of Americans overall. Kerry will allow access to the same affordable health-care plans as Congressional members. Wants to expand state programs to insure all children and allow workers tax credits for premiums.

JOBS & THE ECONOMY

- Closing tax loopholes for corporations that move jobs overseas
- Mandatory national minimum wage increase
- Protecting Social Security by rejecting risky privatization

✓

✕

✓

✕

✓

✕

The Manufacturing Extension Partnership (MEP) provides key assistance in adopting new technologies for small- and mid-size manufacturers. In 2002, MEP helped small manufacturers create or retain 2.8 billion in sales and 35,000 jobs. Kerry wants to double funding for MEP from pre-Bush level and insure that funding is **targeted for RURAL AREAS**. Bush proposed cutting MEP budget by 90%. Kerry supports **domestic dairy farmers** by supporting a ban on the import of illegal Milk Protein Concentrate that companies like Kraft use instead of domestically produced dairy additives.

TAX BREAKS FOR THE RICH

- Rolling back huge tax cuts for the wealthy
- Preventing additional tax breaks for corporations

✓

✕

✓

✕

In 2000, the U.S. had a \$230 billion budget surplus. In 2004, the budget deficit is \$477 billion. Yet, the president has proposed more than \$1 trillion in tax cuts to a small elite of the country's wealthiest billionaires while the number of Americans living in poverty increased by 1.3 million last year. Kerry plans to restore fiscal discipline and cut the budget deficit in half; restore higher taxes for the wealthy; and cut taxes for 98% of all Americans.

EDUCATION

- Increasing federal funding for higher education
- Rejecting vouchers, which would take away funding from public schools for private & religious schools

✓

✕

✓

✕

Kerry will establish a "National Education Trust Fund" to fully fund the Rural Education Achievement Program, a \$300 million grant program that **helps rural areas train and retain teachers, repair schools and develop distance-learning**. Teachers will be offered financial incentives to come to rural schools.

FOREIGN POLICY

- Restoring a respected, multilateral foreign policy
- Independent from foreign oil via renewable energy sources

✓

✕

✓

✕

Greater production of renewal fuels from agricultural crops would decrease pollution, reduce dependence on foreign oil, **enhance farmers' income and increase sustainable use of crop land**. Kerry backs measures to support renewable energy grown on American farms including ethanol, biomass and biodiesel.

ENVIRONMENT

- Mandatory clean air emissions standards
- Protecting the Arctic Wildlife Refuge from oil drilling

✓

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✓

✕

The Environmental Quality Incentives Program or EQIP helped **family farmers pay for practices that protect soil and water**. Funds could not be used to fund animal waste storage structures for large-scale, confined-animal feeding operations. In 2002, however, EQIP was converted from a conservation program for family farmers to a program that subsidizes industrial livestock production. Kerry supports using EQIP funding to help farmers protect the environment and opposes EQIP funding for large-scale, confined-animal feeding operations.

HUMAN RIGHTS

- Refusing to write anti-gay discrimination into the U.S. Constitution
- A national review of death penalty fairness
- Reducing domestic violence with the Violence Against Women Act

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Sources: Democratic Policy Committee, National Rural Health Association, www.johnkerry.com, Tammy Baldwin, www.housedemocrats.gov, presidentmatch.com

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This information provided by:

The Buffalo County Progressives:

www.buffalocountyprogressives.org

and

The League of Rural Voters:

LEAGUEOFRURALVOTERS.ORG

UNDECIDED about who to vote for on Nov. 2?

YOU are cordially invited to attend a

Non-Partisan ELECTION FORUM

to hear about ISSUES that matter to YOU

Representatives from both the Buffalo County Republican and Democratic parties will present the policy positions of their respective presidential candidates. Audience members will have the opportunity to ask questions of both representatives Admission is free.

10:40 to 11:30 a.m. on Monday, Oct. 25

OR

7 to 8 p.m. on Wednesday, Oct. 27

Granum Auditorium. Cochrane-Fountain City High School

Hosted by the C-FC National Honor Society

**Resident
Alma, WI 54610**

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